

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41528 of 2018

Arising Out of PS.Case No. -224 Year- 2017 Thana -SANHOLA District- BHAGALPUR

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1. Nirmal Mandal @ Munni Lal Mandal son of Late Gulabi Mandal,
Resident of Village- Karharia, P.S.- Sanhaulla, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate

For the Opposite Party/s : Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with
Sanhaulla P.S. Case No. 224 of 2017, registered for offences
punishable under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of committing of
rape upon the informant.

Submission of the learned counsel for the petitioner is
that there is a contradiction between the F.I.R. and the statement
of the victim, which was recorded under Section 164 of Cr .P. C.
in which she has stated about only outraging of modesty but the
doctor has not found any evidence of rape and she is above 18
years and the petitioner has been falsely implicated in this case. It
is also submitted that the petitioner has no criminal antecedent.



Learned A.P.P. opposes the prayer for.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, surrenders before the court below within a period of six weeks from the date of the order, he will be released on provisional bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IV, Bhagalpur in connection with Sanhaulla P.S.Case No. 224 of 2017, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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